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without either failing often to convey to the English reader the real meaning of the original, or to make the whole most cumbersome by constant explanations and circumlocutions where the original uses a single, concise phrase. A third way might be to leave a good many foreign law terms untranslated and to add a very full glossary. Perhaps one of the first results of the publication of the present series may be an endeavor on the part of American lawyers to make our own technical languages more precise and full. This again cannot be done without more careful definition and delimitation of the legal concepts for which these terms stand. Thus a few steps may be made in the direction of a legal science for the countries of the English common law, comparable to what is meant thereby on the continent of Europe.

ERNEST BRUNCKEN.

A Short History of the English Law. By EDWARD JENKS.
(Boston: Little, Brown and Company, 1912. Pp. xxxviii, 390.)

This important work by the Director of Legal Studies of the Law Society in London covers its subject in succinct, comprehensive, and accurate fashion, as the title page states, "from the earliest times to the end of the year 1911." Every lawyer should read the book and every student of political science will find it of interest and value to him. Although the style is direct and the expression of the facts is clear, the subject is one which is highly technical in some of its aspects, from which thing it follows that a certain amount of legal knowledge is necessary to appreciate parts of the narrative. Holdsworth's monumental work already has reached its third volume and, in its narrative of the substantive law, has reached only to the time of the Tudors, so that the severest compression was necessary in order to bring the material which Mr. Jenks has used into the compass of one medium sized volume. It is interesting to note that the American edition of the work is dedicated to Mr. Justice Holmes and the frequent references to the *Select Essays in Anglo-American History* are additional proofs that the historical study of the common system of law of England and America has not been limited to either side of the Atlantic. One feature of the book which makes its use extremely convenient is its frequent cross reference by note to the pages where related topics are discussed, making it possible to follow out one topic without wandering helplessly through the whole book. The work is chronologically divided into four periods and the relative

amount of space given them is interesting. The period before the Norman Conquest is treated in twelve pages; that extending to the death of Henry III receives fifty pages, the third division from Edward I to the close of the Commonwealth has one hundred and eleven pages devoted to it; while the last period, from the Restoration to the present day, covers one hundred and ninety-four pages, or a full half of the book. Since neither Reeves, Pollock and Maitland, nor Holdsworth treats of the modern history of the law, this division has a great advantage in giving a needed key to the labyrinthine development of modern law. One impression made on the reviewer, however, is that a very great part of the present English law is that which has been enacted or is found in decisions of the courts since 1776 and so is not what was claimed by Americans as a part of their inheritance at the time of the Declaration of Independence. The statements of the author are remarkably accurate, when their brevity is considered and there are very few slips in the proof reading, though on page 364, 1895 should be 1859. The author does not hesitate to criticise the decisions of courts, when he disagrees with them, as in the Taff Vale Case (page 328). In his whole interesting discussion of labor legislation in the latter part of the chapter on "Contract and Tort in Modern Law," he shows considerable sympathy with the contentions of the workingmen and of the trades unions. Space forbids us to do more than to point out a few of the illuminating pages of this book. The chancery reforms of the fifties and the later judicature acts are admirably summarized in the chapter on modern civil procedure. The development of the jury is described with great clearness (page 47). The treatment of the early law of chattels (pages 54-67) is fresh and vivid. The work of the Commonwealth cannot be forgotten, as it is by most lawyers, and the remarkable scheme of law reform put forth by a parliamentary committee in 1653 is fully described (page 178). A peculiarly important chapter is devoted to the very considerable legal reforms accomplished by the equity courts of the eighteenth century (pages 207 to 236), which reforms are not sufficiently remembered. The book avoids, of set purpose, any extensive discussion of "the origin and development of the courts, and the relations of the State towards its subjects," as these topics had been recently and sufficiently treated by other authors. This avoidance enables the author to cover the remaining topics of legal history with far greater adequacy and to produce a work which will take its place at once as the standard brief history of the law.

BERNARD C. STEINER.